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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/544,198	08/02/2005	Rogier Louis Thissen	NL 030132	8391

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EXAMINER	
SAINT CYR, JEAN D	

ART UNIT	PAPER NUMBER
2425	

MAIL DATE	DELIVERY MODE
05/05/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/544,198	THISSEN ET AL.	
	Examiner	Art Unit	
	JEAN Duclos SAINT CYR	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/31/2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,8 and 10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7,8 and 10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 August 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

REMARK

The use of reference characters (pl, p2, p3) , (s11, s12, ... sli, s21, s22, ... s2i, s31,s32,...s3i), ({pl,sll,s12,...sli},{p2,s21,s22,...s2i}, {p3,s31,s32,s3i,...}), in claims 1 and 3, is to be considered as having no effect on the scope of the claims(MPEP, 608.01(m)).

Objection

The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81(c). No new matter may be introduced in the required drawing. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). With drawings, it will be easier for people of ordinary skill in the art to understand what is claimed in the invention.

Response to Amendment

This action is in response to applicant’s amendment filed on 12/31/2009. Claims 1-5, 7-8, 10 are still pending in the current application. This action is made NON-FINAL.

Response to Arguments

Applicant's arguments with respect to claims 1-5, 7-8, 10 have been considered but are moot in view of the new ground(s) of rejection. Applicant amends the claims and argues that the cited references did not disclose grouping and sending or interleaving all schedule data associated with a particular program to an EPG. The examiner introduces a new reference, Coleman(5844620), disclosing the data is interleaved and organized with all of the schedule/title blocks being provided interleaved with a first half of the descriptions, and then all of the schedule/title blocks being transmitted interleaved with the second half of the description data, col.16,lines 59-63; the IPG data slot to PIDS assignment illustrated in FIG. 5 always guarantees that two consecutive slots are assigned to two distinct PIDS, col.17, lines 52-54; that means schedule records are separated by two successive program records or PIDS; Schedule records are transmitted in the form of N blocks, one block per time slot, each block defining all title

and description records via title record Ids 68 and description record IDs 70, indexed by the start time 66 for the particular program or event, col.14, lines 66-67; col.15, lines 1-3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7-8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin et al l in view of Coleman et al, US No. 5844620.

Re claim 1, Baldwin et al disclose a method of coding and/or transmitting EPG data(The compressed data file and code table can then be downloaded to the client for decompression,0037), the data comprising respective ones of multiple program records identifying a respective one of multiple programs and specific ones of a plurality of schedule records identifying one or more specific scheduled broadcast times of the respective programs, wherein characterized in that the program records (p 1, p2, p3)(see fig.6, program table; Each program record 620 has one or more fields, such as a program identifier field 622, a program title field 624, a program description field 626, and so on,0091) and the schedule records (s11, s12, ... sli, s21, s22, ... s2i, s31, s32,...s3i) are coded (({pl, s1 1, s12,...sli),{p2, s21, s22,...s2i},{p3, s31, s32, s3i,...}), (s11, s12,.., sli, p1},{s21, s22,.., s2i, p2},{s31, s32,.., s3i, p3})) (see fig.6, schedule table; the schedule table 604 has records pertaining to scheduling information, as represented by program record 628. Each schedule record 628 has one or more fields, such as a

time field 630 and a program identifier field 632,0091) , at a receiving device comprising a processor and a memory(FIG. 3 shows an exemplary client 130 implemented as a set-top box. The client 130 has a central processing unit 302 coupled to a decoder, 0039),the EPG data is read, parsed and stored in the memory as it is being received before the complete reception of the data for the EPG is finished(see fig.3; the client has random access memory 310, read only memory 312, and flash memory 314. RAM 310 stores data used by the client, including the EPG data file 126 as well as any compression table used to decompress the file, 0040).

But did not explicitly disclose transmitted in an interleaved manner; such that two successive ones of the program records are separated by two or more schedule records associated with a particular one of the two successive program records and, once transmitted.

However, Coleman et al disclose transmitted in an interleaved manner; such that two successive ones of the program records are separated by two or more schedule records associated with a particular one of the two successive program records and, once transmitted(the data is interleaved and organized with all of the schedule/title blocks being provided interleaved with a first half of the descriptions, and then all of the schedule/title blocks being transmitted interleaved with the second half of the description data, col.16,lines 59-63; the IPG data slot to PIDS assignment illustrated in FIG. 5 always guarantees that two consecutive slots are assigned to two distinct PIDS, col.17, lines 52-54; by assigning two consecutive slots to two different PIDs, the schedule records are separated by successive program records; Schedule records are transmitted in the form of N blocks, one block per time slot, each block defining all title and description records via title record Ids 68 and description record IDs 70, indexed by the start time 66 for the particular program or event, col.14, lines 66-67; col.15, lines 1-3).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to incorporate the teaching Coleman into the invention of Baldwin

for the purpose of transmitting data in an interleaved manner and separating schedule records by at least two successive program records.

Re claim 2, Baldwin et al disclose characterized in that the interleaved program records and schedule records are sorted on a time basis (the EPG server 110 can be used to pre-sort those items of EPG data selected as a result of the time-based selection process, 0088).

Re claim 3, Baldwin et al disclose characterized in that schedule records refer to program records that are ahead in the coding scheme ({pl,sll,s12,...sli},{p2,s21,s22,...s2i}, {p3,s31,s32,s3i,...})(see fig.6; program records,0091; schedule records,0091) .

Re claim 4, Baldwin et al disclose characterized in that the interleaved program records and schedule records are coded in a section, which is separate and ahead in the coding scheme from other sections comprising information relating to the programs(Identifiers are inserted into the compressed data string to separate substrings,0007).

Re claim 5, is met a previously discussed with respect to claim 1.

Re claim 7, Baldwin et al disclose a device comprising an encoder for coding EPG data comprising program records and schedule records in accordance with the method as claimed in claim 1(see fig.2, element 226, data compressor).

Re claim 8, Baldwin et al disclose a receiving device comprising a decoder for decoding EPG data comprising program records and schedule records coded in accordance with the method as claimed in claim 1(see fig.3, element 304, decoder; the client is equipped with hardware and/or software to receive and decode a broadcast video signal,0039).

Re claim 10, Baldwin et al disclose wherein upon storing in memory, substantially all stored EPG data is complete for both program records and schedule records(see fig.3, element 310; RAM 310 stores data used by the client, including the EPG data file 126 as well as any compression table used to decompress the file,0039).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see htpp://pair-direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

/Jean Duclos Saintcyr/

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425